

Dear Jim,

CIA 75-1448

9/10/75

The Complaint came today. I like it and the approach. In skimming it I came to what I'd not consulted in some time, the 5/22/74 O'Neill appeal rejection. I believe it confirms the suspicions I've had all along about what is withheld and why and that if necessary we ought press for in camera inspection under conditions that permit us to address the judge on the possible contents and whether or not they are already partly disclosed and now withheld for wrongful purpose: prevent official embarrassment.

I'm glad Paul has bowed out because this gives you freedom in your approach.

O'Neill breaks his refusals into national security and personnel matters. Ordinarily the latter is properly exempt. However, there were several unusual personnel matters at that approximate time and they have disclosed personnel matters when discussed in executive session and recently by other, unedited documents. (American Mail?)

I do not know the exact date Adams resigned. At about this time Hubert had decided to resign. His hiring and his resignation are both discussed in the transcripts I have. I am without doubt that Adams resigned because he saw clearly the course the Commission took. I believe this figures in Hubert's leaving. He almost talked to me. If I'd had the money to remain in M.O. a little longer that trip he would have.

I know of nothing ordinarily considered a personnel matter that should have caused an entire executive session to be devoted to it. I don't know if I have the agenda for that session, but why not call Leahy and ask for it? Maybe that of the other sessions, too.

The two dates where the CIA asked ~~for~~ continued withholding are January 21 and June 23.

With the ~~fixing~~ 1/21 it would seem that both the Texas reports on Oswald as an agent and Nosenko are ruled out. The nature of the discussions 1/22 and 27 seem to eliminate the probability that the subject was discussed that way but does not rule out discussion that includes what before then has been published. Subject here agent. Nosenko didn't defect until the next month.

In this case it was CIA alone that asked for withholding. Assuming this means there was no FBI interest, what can be the reasons, assuming legitimacy? Not secret foreign sources because there were none to tap. The Russians supposedly were cooperative.

One of the possibilities is the Oswald notebook which about then was the subject of considerable Commission interest because the FBI edited parts out. This notebook does disclose Russian names but none secret and none not disclosed by the Commission. It also bears indication of the serving of an intelligence function. The Mexican stuff was then known and has been released, as has the fact that the CIA had inside sources there.

Frank Donner, who I haven't seen since the late 30s or earliest 40s, called at this point and I've forgotten what I had in mind as a special possibility of the 1/21 transcript.

That of the 6/23 follows closely upon the Nosenko material I got after they pretended to have given me all of it. The CIA is supposed to be considering letting me have more. There was improper withholding of what they let me have. I now have both versions. The special problems had to do with what was suppressed and the possibility of embarrassment from it. Coleman and Slawson seem not to have been reluctant to suppress or there are staff memos we don't have. Come to think of it, there were several I did see they did not copy and then swore I had not seen that were on this. I have correspondence that may be indexed on this. Anyway, the very long Coleman-Slawson memo is undated but I came to believe that it dates to May or June, 1964 and so marked on my file. They'll fight like hell on this one if for no other reason. I also have correspondence in which the CIA (esp. Helms) stonewalled the Commission. I suspect this is part of what Howard took out of FM. I've not questioned him and have not had time to check. In any event, I think we ought not push them on this one, again ought concentrate on building a record and giving them time to help us, and that when we can we should sit down and explore all the possibilities of what these sessions can hold.

Best,